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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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ROBERT M BAUER, ESQ. LACKENBACH SIEGEL, LLP 1 CHASE ROAD SCARSDALE, NY 10583			COFFY, EMMANUEL	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/992,790

Applicant(s)

ZHENG, HAIHONG

Examiner

Emmanuel Coffy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-20 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Amendment

1. This action is responsive to the amendment filed on May 11, 2006. Claims 1, 11 and 17 were amended. Claims 1-20 are directed to an "Apparatus and Associated Method For Facilitating QoS and Bearer Set-up in an IP-Based Communication System."

Response to Arguments

2. Applicant's changes to claims 1 and 17 are acknowledged and the rejections pertaining thereto are hereby withdrawn.

3. Regarding the objections to claims 15 and 16, Applicant argues that they are not substantial duplicates of each other; that claim 15 relates to a home-network application server, whereas claim 16 relates to a visited-network application server. Applicant acquiesced that much of the wording of claims 15 and 16 are the same.

The argument presented by Applicant is not persuasive. Applicant is invited to establish the substantial distinction between a home-network application server as opposed to a visited-network application server.

4. Applicant's arguments regarding the obviousness rejection have been fully considered but they are not persuasive. Applicant arguments revolve around the following central issues:

a) Applicant asserts that: "While the bearer client manager 66 in the preferred embodiment described in the Huang patent does perform the functions quoted in the rejection (see col. 10, lines 5-13), the Huang patent does not contain a teaching that would prompt one of ordinary skill in the art to seek to combine the bearer manager client with Larsen. See remarks page 10, 2nd full paragraph.

In response to Applicant's argument that there is no suggestion to combine the

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references, the Examiner recognizes that references cannot be arbitrarily combined and that there must some reason why one skilled in the art would be motivated to make the proposed combination of primary and secondary references. *In re Nomiya*, 184 USPQ 607 (CCPA 1975). However, there is no requirement that a motivation to make the modification be expressly articulated. The test for combining references is what the combination of disclosures taken as a whole would suggest to one of ordinary skill in the art. *In re McLaughlin*, 170 USPQ 209 (CCPA 1971). References are evaluated by what they suggest to one versed in the art, rather than by their specific disclosures. *In re Bozek*, 163 USPQ 545 (CCPA, 1969). In this case, the Huang patent need not contain a teaching that would prompt one of ordinary skill in the art to seek to combine the bearer manager client with Larsen.

b) Applicant then asserts that "It seems that the rejection merely assembles parts of the claimed invention from different references using the hindsight afforded by this application. (remarks, page 10, last paragraph)

In response to Applicant's argument that the Examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. *In re McLaughlin*, 443 F.2d 1392; 170 USPQ 209 (CCPA 1971).

c) Applicant further asserts "Once again, while the part of the preferred embodiment described in the Vuong patent (col. 5, line 60, to col. 7, line 35) does have the characteristics quoted in the rejection, these characteristics are not a teaching to one of ordinary skill in the art that Larsen should be modified in the manner suggested in the rejection. Indeed, the rejection

fails to address the teaching at, for example col. 2, lines 6-31, of the Vuong patent. Once again, the rejection merely seeks out and locates different parts of the claimed invention in different references. There is no reason given in the Vuong patent which would prompt one of ordinary skill in the art to attempt to make the combination that is proposed in the rejection." (remarks, page 11, last paragraph).

Applicant is referred to part a) above regarding combination of references.

d) On page 12 of the remarks, Applicant asserts that the rejection relies upon col. 7, line 36, to col. 8, line 48 of the Vuong patent. However, the cited disclosure does not indicate of a how a bearer setup request is processed between the application layer and the transport layer. A review of the rejection reveals that this passage is relied upon for the rejection of claims 2 and 3. While the cited passage does not clearly indicate the bearer setup request, col. 5, line 60-col. 7, line 35 goes into details of how a bearer setup request is processed.

e) Applicant further asserted "The rejection is not proper because it focuses on a portion of the disclosure of the Marchand patent. The cited portion is not a teaching that would prompt one of ordinary skill in the art to attempt to make the combination proposed in the rejection... Furthermore, the rejection does not establish why or how accurate billing would prompt one of ordinary skill in the art to make the proposed combination". See remarks page 13, last paragraph to page 14.

Again, Applicant is referred to part a) above regarding combination of references.

In view of such, the rejection is therefore sustained and maintained as follows. The dependent claims stand rejected as articulated in the last Office Action and all objections not addressed in Applicant's response are herein reiterated.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3 and 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larsen (US 6,785,510) in view of Huang et al. (US 6,266,695) in further view of Vuong (US 6,765,912).

Larsen teaches the invention substantially as claimed including a method of relaying data between mobile stations in a cellular communications system. (See abstract)

Claim 1:

Larsen substantially teaches in a communication system having a communication node selectably operable to communicate by way of a communication network with a correspondent node, the communication network having at least a first application-level entity, an improvement of apparatus for facilitating bearer setup of a bearer between the communication node and the correspondent node through operation of a selected bearer manager, the selected bearer manager having a network identifier identifying a network location thereof, said apparatus comprising: (See figs. 4a-6b; col. 3, lines 1-67, particularly 30-35). Larsen is silent as to a bearer manager. However, Huang et al. discloses a bearer manager all throughout. See col. 10, lines 5-13. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen with the bearer manager taught by Huang because this system would enable the user to perform various review, management and control functions regarding the status and configuration of telecommunications switching systems.

Neither Larsen nor Huang teaches a first bearer setup request generator associated with the first application-level entity, said first bearer setup request generator for generating a first bearer setup request, the first bearer setup request for requesting the selected bearer manager to create the bearer between the communication node and the correspondent node, the first bearer setup request, when generated at the first application-level entity, free of the network identifier identifying the network location. However, Vuong discloses the above limitations at col. 5, line 60-col. 7, line 35. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen and the bearer manager taught by Huang with first bearer setup request disclosed by Vuong because this system would avoid bandwidth being idle by reserving necessary resources on both networks when two different networks are used.

Claim 2:

Larsen and Huang substantially teach the apparatus of claim 1 as discussed above. Larsen and Huang are silent as to “wherein the communication network comprises an application level and a transport level, wherein the first application-level entity forms a portion of the application level, and wherein said first bearer setup request generator forms a portion of the application level.” However, Vuong discloses the above limitations at col. 7, lines 36-col. 8, line 48. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen and the bearer manager taught by Huang with first bearer setup request disclosed by Vuong because this system would allow for a flexible bearer manager which can easily be adapted to a different architecture.

Claim 3:

Larsen and Huang substantially teach the apparatus of claim 2 as discussed above. Larsen and Huang are silent as to “wherein the first bearer setup request generated by said first

bearer setup request generator is sent to the transport level.” However, Vuong discloses the above limitations at col. 7, lines 36-col. 8, line 48. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen and the bearer manager taught by Huang with first bearer setup request disclosed by Vuong because this system would allow for a flexible bearer manager which can easily be adapted to a different architecture.

Claim 15:

Larsen and Huang substantially teach the apparatus of claim 1 as discussed above, wherein the communication system comprises a radio communication system and the communication node comprises a mobile node, Larsen and Huang are silent as to “wherein the communication network comprises a first network portion and at least a second network portion, the first network portion defining a home network of the mobile node and the second network portion defining a visited network of the mobile node, wherein the first application-level entity comprises a home-network application server and wherein said first bearer setup request generator is associated with the home-network server. “ However, Vuong teaches the above limitations See Fig. 1, Fig. 2 and Fig. 5, col. 1, lines 55-67 and col. 3, line 1-col. 4, line 41; col. 7, lines 15-34 and col. 8, line 53-col. 9, line 30. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen and the bearer manager taught by Huang with the network architectures disclosed by Vuong because this system would easily be integrated within the home office thus securing greater market share.

Claim 16:

Larsen and Huang substantially teach the apparatus of claim 1 as discussed above, wherein the communication system comprises a radio communication system and the

communication node comprises a mobile node, Larsen and Huang are silent as to “wherein the communication network comprises a first network portion and at least a second network portion, the first network portion defining a home network of the mobile node and the second network portion defining a visited network of the mobile node, wherein the first application-level entity comprises a visited-network application server, and wherein said first bearer setup request generator is associated with the visited-network server.” However, Vuong teaches the above limitations See Fig. 1, Fig. 2 and Fig. 5, col. 1, lines 55-67 and col. 3, line 1-col. 4, line 41; col. 7, lines 15-34 and col. 8, line 53-col. 9, line 30. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen and the bearer manager taught by Huang with the network architectures disclosed by Vuong because this system would easily be integrated within the home office thus securing greater market share.

Claim 17:

Larsen substantially teaches in a method for communicating in a communication system having a communication node selectably operable to communicate by way of a communication network with a correspondent node, the communication network having at least a first application-level entity, an improvement of a method for facilitating bearer setup of a bearer between the communication node and the correspondent node through operation of a selected bearer manager, the selected bearer manager having a network identifier identifying a network location thereof, said method comprising: (See figs. 4a-6b; col. 3, lines 1-67, particularly 30-35). Larsen is silent as to a bearer manager. However, Huang et al. discloses a bearer manager all throughout. See col. 10, lines 5-13. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen with the bearer manager taught by Huang because this system would enable the user to

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perform various review, management and control functions regarding the status and configuration of telecommunications switching systems.

Neither Larsen nor Huang teaches "selectably generating a first bearer setup request at a first application-level entity, the first bearer setup request for requesting the selected bearer manager to create the bearer between the communication node and the correspondent node, the first bearer setup request, when generated at the first application-level entity, free of the network identifier identifying the network location; and providing the first bearer setup request, generated during said operation of selectably generating, to a transport-level signaling layer entity. However, Vuong discloses the above limitations at col. 5, line 60-col. 7, line 35. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen and the bearer manager taught by Huang with first bearer setup request disclosed by Vuong because this system would avoid bandwidth being idle by reserving necessary resources on both networks when two different networks are used.

Claim 18:

Larsen and Huang substantially teach the method of claim 17 as discussed above. Larsen and Huang are silent as to "wherein the first application-level entity comprises a first application server, and wherein the first bearer setup request generated during said operation of selectably generating is generated at the first application server." However, Vuong discloses the above limitations at col. 7, lines 36-col. 8, line 48. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen and the bearer manager taught by Huang with first bearer setup request disclosed by Vuong because this system would allow for a flexible bearer manager which can easily be adapted to a different architecture.

Claim 19:

Larsen and Huang substantially teach the method of claim 18 as discussed above. Larsen and Huang are silent as to "further comprising the additional operation of routing, from the transport-level signaling layer entity, a separate-level signaling-layer request signal to the selected bearer manager." However, Vuong discloses the above limitations at col. 7, lines 36-col. 8, line 48. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen and the bearer manager taught by Huang with first bearer setup request disclosed by Vuong because this system would allow for a flexible bearer manager which can easily be adapted to a different architecture.

Claim 20:

Larsen and Huang substantially teach the method of claim 19 as discussed above. Larsen and Huang are silent as to "further comprising the operation of returning a bearer-manager response message to the first application server." However, Vuong discloses the above limitations at col. 7, lines 36-col. 8, line 48. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen and the bearer manager taught by Huang with first bearer setup request disclosed by Vuong because this system would allow for a flexible bearer manager which can easily be adapted to a different architecture.

7. Claims 4-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larsen (US 6,785,510) in view of Huang et al. (US 6,266,695) in further view of Vuong (US 6,765,912) and in further view of Marchand (US 6,714,515).

Claim 4:

Larsen, Huang and Vuong substantially teach the apparatus of claim 3 as discussed above.

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Larsen, Huang and Vuong are silent as to "wherein the separate-level transport level comprises an AAA (Authentication Authorization Accounting) entity, and wherein the first bearer setup request generated by said first bearer setup request generator is sent to the AAA entity."

However, Marchand discloses the above limitations at col. 5, lines 25-31. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen, the bearer manager taught by Huang and first bearer setup request disclosed by Vuong with the AAA disclosed by Marchand because this system would allow for accurate billing of services provided.

Claim 5:

Larsen, Huang and Vuong substantially teach the apparatus of claim 4 as discussed above, further comprising a second bearer setup request generator associated with the AAA entity and coupled to receive an indication of the first bearer setup request generated by said first bearer setup request generator, said second bearer request generator for generating a transport-level bearer setup request, the transport-level bearer setup request for delivery to the selected bearer manager to request the bearer manager, when delivered thereat, to create the bearer between the communication node and the correspondent node. See Vuong Fig. 3 and Fig. 5, col. 7, lines 15-34 and col. 8, line 53-col. 9, line 30. Larsen, Huang and Vuong are silent as to AAA entity.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen, the bearer manager taught by Huang and first bearer setup request disclosed by Vuong with the AAA disclosed by Marchand because this system would allow for accurate billing of services provided.

Claim 6:

Larsen, Huang and Vuong substantially teach the apparatus of claim 5 as discussed above,

wherein the communication network comprises a first network portion and at least a second network portion, the first network portion defining a home network of the mobile node and the second network portion defining a visited network of the communication node, and wherein the first application-level entity with which said first bearer setup request generator is associated and the AAA entity with which said transport-level bearer setup request generator is associated are positioned at the visited network portion See Vuong Fig. 3 and Fig. 5, col. 7, lines 15-34 and col. 8, line 53-col. 9, line 30. Larsen, Huang and Vuong are silent as to AAA entity. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen, the bearer manager taught by Huang and first bearer setup request disclosed by Vuong with the AAA disclosed by Marchand because this system would allow for accurate billing of services provided.

Claim 7:

Larsen, Huang and Vuong substantially teach the apparatus of claim 5 as discussed above wherein the communication network comprises a first network portion and at least a second network portion, the first network portion defining a home network of the communication node and the second network portion defining a visited network portion, wherein the at least the first application-level entity comprises a first application server and a second application server, the second application server also forming a portion of the application level, the second application server associated with the visited network portion and the first application server associated with the home network portion, said first bearer setup request generator for generating the first bearer setup request responsive to an application-level signal provided thereto. See Vuong Fig. 1, Fig. 2 and Fig. 5, col. 1, lines 55-67 and col. 3, line 1-col. 4, line 41; col. 7, lines 15-34 and col. 8, line 53-col. 9, line 30. (a home network follows the fundamentals of networking such that it is not novel or non-obvious to an artisan of ordinary skill in the art.)

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Claim 8:

Larsen, Huang and Vuong substantially teach the apparatus of claim 7 as discussed above.

Larsen, Huang and Vuong are silent as to “wherein the AAA entity comprises a home-network AAA entity and a visited-network AAA entity, and wherein the first bearer setup request is sent by said first bearer setup request generator to the home-network AAA entity.” However, Marchand discloses the above limitations at col. 5, lines 25-31. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen, the bearer manager taught by Huang and first bearer setup request disclosed by Vuong with the AAA disclosed by Marchand because this system would allow for accurate billing of services provided.

Claim 9:

Larsen, Huang and Vuong substantially teach the apparatus of claim 8 as discussed above, wherein said second bearer setup request message generator generates the transport-level bearer setup request by way of the visited-network AAA entity to the selected bearer manager. See Vuong Fig. 3 and Fig. 5, col. 7, lines 15-34 and col. 8, line 53-col. 9, line 30. Larsen, Huang and Vuong are silent as to AAA entity. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen, the bearer manager taught by Huang and first bearer setup request disclosed by Vuong with the AAA disclosed by Marchand because this system would allow for accurate billing of services provided.

Claim 10:

Larsen, Huang and Vuong substantially teach the apparatus of claim 9 as discussed above, wherein the transport-level bearer setup request message generated by said second bearer setup request message comprises an AAA-protocol message. See Vuong Fig. 3 and Fig.

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5, col. 7, lines 15-34 and col. 8, line 53-col. 9, line 30. Larsen, Huang and Vuong are silent as to AAA entity. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen, the bearer manager taught by Huang and first bearer setup request disclosed by Vuong with the AAA disclosed by Marchand because this system would allow for accurate billing of services provided.

Claim 11:

Larsen, Huang and Vuong substantially teach the apparatus of claim 10 as discussed above, the selected bearer manager to which the transport-level bearer request is delivered generates a response message, and wherein said second bearer setup request generator further detects the response message. See Vuong Fig. 3, col. 7, lines 28-34 and col. 8, lines 49-52.

Claim 12:

Larsen, Huang and Vuong substantially teach the apparatus of claim 11 as discussed above, wherein the response message generated by the selected bearer forms an AAA-protocol message. Larsen, Huang and Vuong are silent as to AAA entity. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen, the bearer manager taught by Huang and first bearer setup request disclosed by Vuong with the AAA disclosed by Marchand because this system would allow for accurate billing of services provided.

Claim 13:

Larsen, and Huang substantially teach the apparatus of claim 11 as discussed above, Larsen, and Huang are silent as to "wherein said second bearer setup request generator further returns an indication of the response message to said first bearer setup request generator." However,

See Vuong Fig. 3, col. 7, lines 28-34 and col. 8, lines 49-52.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of communications system taught by Larsen and Huang with the second bearer setup request generator as taught by Vuong because this would provide a redundant setup mechanism for the system by providing a separate path for bearer setup.

Claim 14:

Larsen substantially teaches the apparatus of claim 13 as discussed above, wherein said first bearer setup request message generator further generates an application-level message for communication to the mobile node, the application-level message indicative of the response message generated by the selected bearer manager. (See figs. 4a-6b; col. 3, lines 1-67, particularly 30-35). Larsen is silent as to a bearer manager. However, Huang et al. discloses a bearer manager all throughout. See col. 10, lines 5-13. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of routing in a multi-station network taught by Larsen with the bearer manager taught by Huang because this system would enable the user to perform various review, management and control functions regarding the status and configuration of telecommunications switching systems.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Dekeyser (US 6,892,389) teaches « Broadcasting Unit To Broadcast Distributive Interactive Services In An Access Network »

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Coffy whose telephone number is (571) 272-3997. The examiner can normally be reached on 8:30 - 5:00.

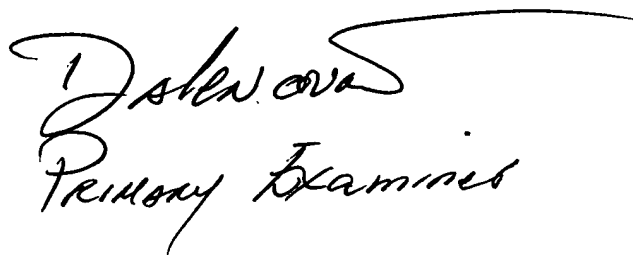
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you

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would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Emmanuel Coffy
Patent Examiner

A handwritten signature in dark ink, appearing to read "Emmanuel Coffy", with a long horizontal flourish extending to the right.

EC
July 20, 2006